

The Sovereign.
ACTS *Norfolk*
W.C.
PASSED AT A
GENERAL ASSEMBLY
OF THE
1833
COMMONWEALTH

OF
VIRGINIA,

BEGUN AND HELD AT THE CAPITOL,

IN THE

CITY OF RICHMOND,

ON MONDAY, THE SIXTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD,

ONE THOUSAND EIGHT HUNDRED AND THIRTY, AND OF THE

COMMONWEALTH THE FIFTY-FIFTH.

TO WHICH ARE PREFIXED,

THE DECLARATION OF RIGHTS,

AND

THE CONSTITUTION OF VIRGINIA.

RICHMOND:

PRINTED BY THOMAS RITCHIE,

Printer to the Commonwealth.

1831.

15. *And be it further enacted*, That if any person or persons shall divert, use, apply or draw off any part of the water so by the said company introduced into any street of the said borough, without the consent of the said company first had and obtained, he, she or they shall forfeit and pay the sum of five dollars to and for the use of the said company, for every such offence, and shall moreover be subject to the action or prosecution of the said company for the same.

Penalty for using water without consent of company.

16. *And be it further enacted*, That the mutual assurance society against fire on buildings of the state of Virginia, be, and the said society is hereby authorized to subscribe for such part of the stock aforesaid as to it shall seem expedient.

Mutual assurance society authorized to subscribe for stock.

17. This act shall commence and be in force from and after the passing thereof.

Commencement.

CHAP. CLXXXIV.—AN ACT concerning the water works in the city of Richmond.

[Passed March 23, 1831.]

Whereas it is represented to the general assembly, that a large majority of the citizens of Richmond, qualified by law to vote for members of the common hall of said city, have declared (by a vote taken under a resolution of the hall,) their desire to have water introduced by means of iron pipes through the various streets of said city, from some convenient point on James river, but which cannot conveniently be done without passing their pipes through the land of private individuals, both within and without the limits of the corporation: And whereas the said work has actually been commenced under contracts made under the authority of the said common hall:

Preamble.

1. *Be it therefore enacted by the general assembly*, That for the purpose of effecting said object, it shall be lawful for the said common hall of the city of Richmond, at any time hereafter, to contract and agree with the owners of any land for the use or purchase thereof, whether the same be situated within or without the limits of said corporation, if in the opinion of said common hall, the use or possession of said land be desirable for the convenient location of said pipes, water works, or any of the fixtures or appurtenances thereof; and in case of disagreement, or if the owner thereof be *feme covert*, under age, *non compos mentis*, out of the state, or unknown, the said common hall of the city of Richmond may apply to and obtain from the court for the county of Henrico a writ of *ad quod damnum*, (which it shall be the duty of said court, on application, to award,) directed to the sheriff of said county, commanding him to impanel a jury of twelve freeholders of the county of Henrico, not related to the parties, or in any manner interested, whose duty it shall be to go upon the land, and being sworn, to ascertain and fix the damages which will accrue to the owner of said land, by reason of the location of said water works thereon, or the passage of the said pipes or fixtures through the same. The damages assessed shall be certified under the hands and the seals of the said jury, and by the said sheriff shall be returned to the court of said county, and recorded, and shall be paid by the said common hall of the city of Richmond to the proprietors of the said lands, or deposited for his, her, or their use, in one of the state banks in the city

Common hall of Richmond authorized to contract for use of land.

Provision for acquisition of land in case of disagreement with owner.

Jury to be impanelled, to ascertain damages.

Damages to be certified to court and recorded.

To be paid by common hall.

Land when vested in corporation.	of Richmond, subject to the order of said county court, on the appearance and demand of the person legally entitled thereto, and when the said damages shall be thus paid or deposited as aforesaid, the said land or the privilege of passing their pipes and fixtures through the same, and of repairing, altering, taking up and laying them down again from time to time, shall thereafter be vested in the mayor, aldermen and commonalty of said city, and their successors in office. If the damages ascertained by the return of said writ be not paid by the said common hall to the said proprietors entitled thereto upon demand, or deposited as aforesaid, by the next term of said county court after said return, and recording of the same, the said condemnation of land and assessment of damages shall be void and of no effect. The said court may, for good cause shewn, quash the said writ and the return, and all the proceedings thereupon, at any time before the same shall be recorded, and award a new one, on which the same proceedings shall be had as aforesaid:
When condemnation of land void.	<i>Provided</i> , That the pendency of any such proceedings shall not delay or prevent the common hall of said city from proceeding with the execution of the said works.
Court may quash the writ and award new one.	
Proviso.	
Power to proceed with works.	2. <i>Be it further enacted</i> , That the said common hall shall be, and they are hereby authorized to proceed in the execution of the aforesaid undertaking, and that all contracts now entered into, and which may hereafter be made, in relation to the execution of said water works, or the use or purchase of land therefor, shall be, and they are hereby declared to be valid and binding to all intents upon the respective parties thereto.
Contracts legalized.	
Power to impose penalties to protect works, &c.	3. <i>Be it further enacted</i> , That the said common hall shall have power to protect from injury, by adequate penalties to be imposed by an ordinance of said hall, the said pipes or water works, or any part of the fixtures thereof, within or without the limits of said corporation, in the same manner and to the same extent, as they are now authorized by law to protect the public property and improvements of said city.
Commencement.	4. This act shall commence and be in force from and after the passage thereof.

CHAP. CLXXXV.—AN ACT incorporating the Wheeling fire and marine insurance company.

(Passed February 28, 1831.)

Wheeling fire and marine insurance company incorporated.	1. <i>Be it enacted by the general assembly</i> , That John M'Lure, Moses W. Chapline, Eli B. Swerengen, John List, Neal M'Naughten, George Dulty, Thomas Hughes, Marcus Wilson, Robert Hamilton, and the subscribers to the stock of the association, and their successors, shall be, and they are hereby created a body politic and corporate, by the name and style of "The President and Directors of the Fire and Marine Insurance Company of Wheeling," and by that name and style shall have perpetual succession, with authority to have and use a common seal, and the same to alter or renew at pleasure, and also to put in execution such by-laws, ordinances and regulations as shall be necessary and convenient for the limitation, management or government of the business of this corporation; and for the making whereof, general meetings of the stockholders may be called, to meet at some place in the town of Wheeling, in the manner herein after specified; at which meetings, a majority in interest being pre-
Name.	
General powers.	